

SUBDIVISION MEETING
January 23, 2003

Chair Anita Varone called the meeting to order at 9:00 a.m.

Commissioners Murray and Tinsley were present. Others attending all or a portion of the meeting included Ron Alles, Sharon Haugen, Dean Retz, Jim Taylor, Michael McHugh, Nancy Everson, Jason Mohr, Mike Henderson, Tom Rapp, Jim Taylor, Judy Schweyen and Bill Schweyen, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the Pledge.

A Proposed Major Subdivision, Preliminary Plat, Gable Estates Amended Major. (cont. from 1/7/03) The applicant, Scott Truscott, proposes to resubdivide six (6) twenty-acre parcels to create 23 additional lots, each for one single-family dwelling. The proposed subdivision is generally located north of and adjacent to Lincoln Road and west of Mountain Heritage Road. Commissioner Varone stated she will abstain from voting and recused herself from discussion on this proposal because there may be a perceived potential conflict of interest and turned over this portion of the meeting to Vice-Chairman Murray.

Variance. Proposed Lot C7A appears to be 11 feet over the three times the average width. Commissioner Tinsley moved to deny the variance. Commissioner Murray seconded the motion and it carried 2-0-1. Commissioner Varone abstained from voting.

Commissioner Tinsley moved to approve the subdivision proposal subject to the conditions as recommended by staff. Commissioner Murray seconded the motion.

Amendment to Conditions of Approval.

Condition 14.n. Commissioner Tinsley moved to expand condition 14 regarding agricultural notification and requested that staff work with the developer to develop language to include notification of sights and smells for potential buyers and any other impacts that agriculture may have or perceived impacts there may be to potential home buyers. Commissioner Murray seconded the motion and it carried 2-0-1. Commissioner Varone abstained from voting.

The motion to approve the proposed subdivision carried 2-0-1. Commissioner Varone abstained from voting.

Proposed Subdivision, Summary Review to be Known as French Minor. (cont. from 1/21/03). The applicant proposes to create two lots, each for existing single-family dwelling. The property is generally located north of York Road and east of and adjacent to Helberg Drive. The applicant, Tom French was not present but was represented by Jim Taylor who indicated his willingness to proceed on behalf of the applicant. Michael McHugh presented the staff report. Adjacent land uses northeast and west of the subject property includes large-scale agricultural operations predominantly livestock and irrigated hay production. There is no zoning in this area. The soils identified on the

property have been classified as prime agricultural soils if irrigated. There are many irrigation canals located along the boundary of the property and are fenced on the outer edges of the subject property. Access to the property would be through an internal access road. The applicant has proposed a hammerhead turn to allow maneuvering of emergency vehicles in that area. The East Valley Fire Department has requested that the applicant submit \$250 per lot fee for fire suppression. The applicants requested a variance for the internal access road transecting the western lot. Staff recommended approval of the proposed subdivision subject to 10 conditions as outlined in the staff report.

Jim Taylor, TechNet, 8422 Diamond Springs Road. Mr. Taylor reported this proposal would bring these two lots into conformance with subdivision regulations and create a situation where they are independent lots. The variance is to make the southern portion of Tract A access easement, which is basically a driveway into the area for the second lot and will be built to county standards.

Hearing no other comments, this closes this portion of the public hearing. Commissioner Murray moved to render a final decision on Tuesday, January 28. The motion died for lack of a second.

Commissioner Murray moved to approve the variance as requested. Commissioner Varone seconded the motion. Commissioner Tinsley voted against the variance because he has not had an opportunity to visit the site.

Commissioner Murray asked the applicant if he would be willing to request a one-day extension. Jim Taylor requested that the review period be extended to Tuesday January 28. Commissioner Murray moved to grant applicant's request to extend the review period to January 28. Commissioner Tinsley seconded the motion and it carried unanimously.

Commissioner Murray moved to render a final decision on Tuesday, January 28. Commissioner Tinsley seconded the motion and it carried unanimously.

Affidavit of Assets. Nancy Everson reported the affidavit certifying total assets held by Lewis and Clark County as of June 30, 2002 is \$22,459,212.68 is to fulfill a compliance requirement in the statutes that the Board of County Commissioners must bi-annually file with the clerk and recorder a listing of all assets held by the county. Staff recommended approval. Commissioner Murray moved to accept the finance officer's recommendation to certify the county's assets and authorized the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Board of Investments, InterCap Loan Application. (cont. from 1/21/03). Nancy Everson reported that the loan application is to remodel and upgrade the mechanical and electrical system in the courthouse. After some discussion, Commissioner Murray moved that the commission authorize staff to submit an application for an InterCap loan not to exceed \$750,000 for the renovation of the courthouse structure and authorize the

chair to sign all related documentation for this loan. Commissioner Tinsley seconded the motion and it carried unanimously.

Health Department Contracts. (cont. from 1/16/03). Mike Henderson recommended that the commission sign the following contracts: (1) Renewal with Jeremi Jones to provide HIV/AIDS prevention education \$6,180, (2) New contract with DPHHS for HIV Prevention Outreach \$4,836; and (3) New contract with DPHHS for HIV/AIDS prevention education \$69,555.85. Commissioner Murray moved to approve three contracts nunc pro tunc and authorized the chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Request for Funds – God's Love \$15,000. Nancy Everson reported that God's Love has submitted a request to the Human Services Task Force requesting an additional \$15,000 in funds to cover the period November 1, 2002 through June 30, 2003. God's Love has received notification from HUD approving their three-year grant starting February 1. The HSTF has recommended that the commission allocate the remaining \$15,000 to God's Love with the understanding that any money remaining at the end of the year, June 30, be remitted back to the county, and if they were successful in receiving any other grants that those monies first be used to reimburse the county. Commissioner Tinsley moved to approve the request for funds to God's Love as recommended by the Human Services Task Force in the amount of \$15,000 with a condition if there is money remaining that it be reverted back to the county or deducted from any appropriation that the county may give them next year. Commissioner Murray seconded the motion and it carried unanimously.

There was no other business and the meeting adjourned at 9:50 a.m.